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Counsel for Jonathan L. Flaxer, Chapter 11 Trustee

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re : Chapter 11
:
JOSEPH KLAYNBERG, : Case No. 22-10165 (MG)
:
: Debtor. :
:
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**AMENDED SECOND MONTHLY STATEMENT OF GOLENBOCK EISEMAN ASSOR
BELL & PESKOE LLP, AS COUNSEL FOR JONATHAN L. FLAXER,
CHAPTER 11 TRUSTEE, OF FEES FOR PROFESSIONAL
SERVICES RENDERED FOR THE PERIOD
NOVEMBER 1, 2022 THROUGH NOVEMBER 30, 2022**

Name of Applicant:	Golenbock Eiseman Assor Bell & Peskoe LLP
Role in Case:	Counsel to Chapter 11 Trustee
Date of Retention:	Order entered November 7, 2022 <i>nunc pro tunc</i> to September 20, 2022
Period for which compensation and reimbursement is sought:	November 1, 2022 to November 30, 2022
Amount of Compensation sought as actual, reasonable and necessary:	\$51,846.50 (80% of which is \$41,477.20)
Amount of Expense Reimbursement sought as actual, reasonable and necessary:	\$0.00
Total (80% of fees and 100% of costs):	\$41,477.20

Golenbock Eiseman Assor Bell & Peskoe LLP (“**GEABP**”), as counsel for Jonathan L. Flaxer (the “**Trustee**”), the chapter 11 trustee for Joseph Klaynberg (the “**Debtor**”), hereby submits this amended second monthly statement (the “**Monthly Statement**”) for the period of November 1, 2022 through November 30, 2022 (the “**Statement Period**”) for payment of professional services rendered and reimbursement of expenses incurred during the Statement Period pursuant to the Court’s Order Pursuant to Sections 105(a) and 331 of the Bankruptcy Code Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals [Dkt. No. 45], as modified by the Stipulation and Order Modifying Monthly Compensation Order [Dkt No. 268] (together, the “**Fee Procedures Order**”). GEABP requests interim allowance and payment of compensation in the amount of \$41,477.20 (80% of \$51,846.50) for fees incurred on account of reasonable and necessary professional services rendered by GEABP as counsel to the Trustee.

FEES FOR SERVICES RENDERED DURING THE STATEMENT PERIOD

1. Set forth below is a list of the positions of the GEABP professionals and paralegals who provided services to the Trustee during the Statement Period, their respective billing rates, and the aggregate hours spent by each person providing services to the Trustee during the Statement Period.

	Year Admitted	Hourly Rate	Total Hours	Total Amount	Practice Specialty
<u>Partners</u>					
Michael S. Devorkin	1980	895.00	7.50	\$ 6,712.50	Litigation
Michael S. Weinstein	2009	505.00	45.30	\$ 22,876.50	Bankruptcy
<u>Associates/Of Counsel</u>					
Ina Dogani	2021	425.00	12.00	\$ 4,122.50 ¹	Litigation
Moshie Solomon	2002	505.00	35.00	\$ 17,675.00	Bankruptcy
<u>Paralegals/Paraprofessionals</u>					
Heather Maxwell	N/A	230.00	2.00	\$ 460.00	Litigation
TOTAL:			101.80	\$ 51,846.50	
BLENDED RATE FOR ALL PROFESSIONALS:			\$ 509.30		
BLENDED ATTORNEY RATE:			\$ 514.90		

2. The fees sought by GEABP in the Monthly Statement are billed at rates and in accordance with practices customarily employed by GEABP and generally accepted by GEABP's other clients. A complete itemization of the tasks performed by the above-referenced persons during the Statement Period is annexed hereto as **Exhibit A**.

¹ After discussion with the United States Trustee, GEABP has agreed to a 20% reduction of time incurred for certain research conducted, which results in a reduction of \$977.50 in fees from GEABP's original November 2022 bill in the amount of \$52,824.00.

NOTICE AND OBJECTION PROCEDURES

3. GEABP has provided notice of this statement upon the following parties: (i) the Chapter 11 Trustee, Jonathan L. Flaxer, c/o Golenbock Eiseman Assor Bell & Peskoe LLP, 711 Third Avenue, 17th Floor, New York, New York 10017; (ii) the Debtor, Joseph Klaynberg, 114 Mulberry Street, Apt. 703, New York, New York 10003; (iii) counsel to the Debtor, Cullen & Dykman, LLP, 100 Quentin Roosevelt Boulevard, Garden City, New York 11530, Attn: Matthew G. Roseman, Esq. and Bonnie L. Pollack, Esq.; (iv) counsel to Series 2020A of Nahla Capital LLC, Hunton Andrews Kurth LLP, 200 Park Avenue, New York, New York 10166, Attn: Robert A. Rich, Esq.; and (v) the Office of the United States Trustee, 201 Varick Street, Room 1006, New York, New York 10014, Attn: Tara Tiantian, Esq. (collectively, the "**Notice Parties**").

4. Pursuant to the Fee Procedures Order, objections to this Monthly Statement, if any, must be served no later than **January 24, 2023** (the "**Objection Deadline**") upon the following parties: (i) GEABP, and (ii) the Notice Parties.

5. If no objections to this Monthly Statement are received by the Objection Deadline, the Chapter 11 Trustee, on behalf of the estate of the Debtor, will pay GEABP 80% of the fees identified in this Monthly Statement.

6. To the extent an objection to the Monthly Statement is received on or before the Objection Deadline, the Chapter 11 Trustee will withhold payment of that portion of the Monthly Statement to which the objection is directed and will promptly pay the remainder of fees and expenses in the percentages set forth above. To the extent such objection is not resolved, it shall be preserved and scheduled for consideration at the next fee application hearing.

Dated: New York, New York
January 11, 2023

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By: /s/ Michael S. Weinstein
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